REMARKS/ARGUMENTS

Claims 1 and 3-11 are pending in this application.

Claims 1 and 3 have been amended as indicated hereinabove.

Claim 2 has been canceled without prejudice or disclaimer; all its elements have been incorporated into Claim 1.

Claims 1 and 2 had been rejected under 35 U.S.C. § 103(a) over Cordova et al. (U.S. Patent No. 4,318,137) in view of Fourkas et al. (U.S. Patent Publication No. 2006/0057497). Claims 3-11 had been rejected under 35 U.S.C. § 103(a) over Cordova in view of Fourkas and further in view of Scott et al. (U.S. Patent No. 5,469,398). These rejections are respectfully traversed for the following reasons.

If examination at the initial stage does not produce a prima facie case of unpatentability, then without more the applicant is entitled to grant of the patent.[1] The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of non-obviousness.[2]

Claims 1-11, as amended, comprise a computer system processing acquired data blocks, wherein the sequence in which the blocks are processed depends on a frame burst ratio.

Neither Cordova, nor Fourkas, nor Scott describes such dependence of order of processing of data blocks. Cordova describes a computer functioning as a data buffer between an infrared camera and a digital magnetic tape recorder to achieve uniformity of data flow to the recorder. Fourkas describes a scanning microscope with a fast scanner that acquires data (see pending final Office Action, page 4). Scott describes "first-in, first-out (FIFO) data storage in computer systems" (see Abstract).

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[1] *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992)
[2] *Manual of Patent Examining Procedure* § 2142 (8th ed. rev. 7 July 2008)

A computer system processing acquired data blocks, wherein the sequence in which the blocks are processed depends on a frame burst ratio, is not taught or suggested in Cordova, Fourkas, Scott, or their combination. Therefore, Claims 1-11 are patentable and non-obvious over Cordova, Fourkas, and Scott under 35 U.S.C. § 103(a) and should be allowed.

It is believed that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited in this case. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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